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22 ASSOCIATION, FOSTER, et al.

23 **E-FILED**

24 **UNITED STATES DISTRICT COURT**  
25 **NORTHERN DISTRICT OF CALIFORNIA**

26 PARK VILLAGE APARTMENTS  
27 TENANTS ASSOCIATION, WILLIAM  
28 FOSTER, SHIRLEY SMITH, ANAHID  
ISSAHAKIAN, PATRICIA JOHNSON,  
MARTIN KOCH, LAWRENCE LEE,  
FOSTER REUBEN, MARIA LILLIAN  
SANCHEZ, ALISON WRIGHT and  
CORNELIUS WEEKLEY,

Plaintiffs,

v.

MORTIMER HOWARD TRUST,  
MORTIMER R. HOWARD,

Defendants.

Case No. C-09-4780 EDL

**STIPULATION TO MODIFY  
TRIAL PREPARATION  
SCHEDULE AND TRIAL;  
[PROPOSED] ORDER AS  
MODIFIED**

Pursuant to Federal Rule of Civil Procedure 16(b)(4), Plaintiffs, PARK VILLAGE APARTMENT TENANTS ASSOCIATION, et al. (Plaintiffs) and Defendants, MORTIMER HOWARD TRUST and MORTIMER HOWARD (Defendants), in the above-entitled action, by and through respective counsel, hereby request that the Court's Case Management and Pretrial Order for Jury Trial dated January 25, 2012 (Document #85) be modified to accommodate the ongoing settlement discussions between the parties. The current Order establishes the following schedule:

Non-expert discovery cut-off:	June 12, 2012
Initial expert disclosure deadline:	July 31, 2012
Rebuttal expert disclosure:	August 31, 2012
Expert discovery cut-off:	September 14, 2012
Dispositive motion filing deadline:	June 26, 2012
Hearing of dispositive motions:	July 31, 2012
Pre-trial conference:	October 30, 2012 at 2:00 p.m.
Trial:	November 19, 2012 at 8:30 a.m.

A Settlement Conference is currently scheduled for June 22, 2012 at 9:30 a.m. with Magistrate Judge Beeler. Three continuances of the Settlement Conference have been granted by the Court in recognition of the parties continuing progress toward a negotiated settlement. In an effort to continue the discussions and build on the progress already made, the parties are also requesting in a separately filed request that the currently scheduled settlement conference be continued.

The parties have engaged in productive settlement negotiations for the past 60 days and are in the process of drafting a settlement agreement and other documents. In order to continue the substantial progress made to date, the parties propose the following modification of the trial preparation and trial schedule:

Non-expert discovery cut-off:	August 14, 2012
Initial expert disclosure deadline:	September 28, 2012
Rebuttal expert disclosure:	October 12, 2012
Expert discovery cut-off:	October 31, 2012
Dispositive motion filing deadline:	August 28, 2012

Hearing of dispositive motions: October 2, 2012  
Pre-trial conference: December 18, 2012 at 2:00 p.m.  
Trial: January 14, 2013 at 8:30 a.m.

RESPECTFULLY SUBMITTED,

BAY AREA LEGAL AID  
Lisa S. Greif  
Naomi Young  
Robert Capistrano

NATIONAL HOUSING LAW PROJECT  
James R. Grow  
Kent Qian

Dated: June 8, 2012

/s/ Lisa S. Greif

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Lisa S. Greif  
Attorneys for Plaintiffs

**SWIHART AND ASSOCIATES**  
Thomas Swihart

Dated: June 8, 2012

/s/ Thomas M. Swihart  
Thomas M. Swihart  
Attorneys for Defendant

1 I hereby attest that I have on file all holograph signatures for any signatures indicated  
2 by a "conformed" signature (/s/) within this efiled document.

3  
4 Dated: June 8, 2012

5 Bv: /s/ Lisa S. Greif \_\_\_\_\_  
6 LISA S. GREIF  
7 Attorneys for Plaintiffs  
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11 ORDER

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13 Good cause appearing therefore, IT IS SO ORDERED.  
14 DATED: June 11, 2012  
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